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ABSTRACT

An overview of the foreign language requirements in the new Part 100 of the New York State Commissioner's regulations for public schools is presented to aid local school personnel in designing foreign language programs and advising students regarding the new statewide requirements. The summary first defines the terms used, and then outlines: the second language program, credit, and examination requirements; Regents high school diploma core, sequence, and combination requirements; local high school diploma core and sequence requirements; general provisions having implications for second language instruction, including credit by examination, use of alternative examinations and procedures, use of state syllabi, grade 8 acceleration, course and sequence availability, variances, and reporting requirements; and an implementation schedule. Notes on second language program planning and answers to frequently-asked questions are also included. (MSE)

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SUMMARY OF SECOND LANGUAGE PROVISIONS IN THE NEW PART 100 OF THE COMMISSIONER'S REGULATIONS

Summary and Explanations

Prepared by Bureau of Foreign Languages Education

New York State Education Department

December 1984

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1. Definitions

Section 100.1 of the Regulations contains the following definitions necessary to a better understanding of specific second language provisions:

1.1 *Unit of study* means at least 180 minutes of instruction per week throughout the school year, or the equivalent.

1.2 *Unit of credit* is earned by:

1.2.1 the mastery of the learning outcomes set forth in a New York State developed or locally developed syllabus for a given *high school subject*, after a student has had the opportunity to complete a unit of study in a given subject matter; OR

1.2.2 a passing score of at least 85% or its equivalent on a State Education Department approved examination in a given *high school subject* without the completion of a unit of study, and the successful completion of either an oral examination or a special project.

1.3 *Syllabus* means a document stating the expected learning outcomes including the goals, objectives, concepts, skills, and understandings in a given subject.

1.4 *Second language* means a language other than English.

1.5 *Second language proficiency examinations* are State tests of language skills in modern or classical languages other than English or in Native American languages.

1.6 *Regents examinations* are State achievement tests based upon syllabi prescribed by the State Education Department.

2. Second Language Requirements for Public Schools

2.1 *Program requirement*: Beginning September 1, 1988, each public school district must make available instruction in a language other than English in grades 8 through 12.

2.2 *Study requirements*: Public school students *graduating in 1992 and 1993* must have completed *at least one unit of study* in a second language at some time during grades K-9. Public school students *graduating in 1994 and thereafter* must have completed *at least two units of study* in a second language at some time during grades K-9. The following provisions apply to these requirements:

2.2.1 Students earn *no credit* for meeting the unit of study requirements *except* for courses in grade 9 OR by passing an optional second language proficiency examination at or before the end of grade 8 (*see Summary item 2.3*).

2.2.2 Unit of study requirements for second languages *may be in more than one language*, provided that *at least one-half of the required units of study must be in a single language.*

2.2.3 Unit of study requirements must be offered in segments of *not less than one-half unit of study per school year.* (The Bureau of Foreign Languages Education recommends that half units of study be scheduled in ways that provide for *instruction throughout the school year*, such as daily instruction for 20 minutes per day or 40 minutes of instruction on alternate days throughout the school year.)

2.2.4 Students identified as having a *handicapping condition* may be exempted from these requirements if a student's I.E.P. states that such requirements are not appropriate.

2.2.5 Students who *transfer* into the New York State public school system *after beginning grade 7* must complete these requirements prior to graduation from high school.

2.2.6 Students who *transfer* into the New York State public school system *after completing grade 9* are exempt from these requirements.

2.2.7 The requirements for subjects in grades 7 and 8, including second language instruction, may be reduced but not eliminated for *students who require remediation* as a result of scoring below the designated State reference point on any Regents preliminary competency test (PCT) or on any fifth or sixth grade pupil evaluation program (PEP) test. NOTE: It is recommended that any reduction of second language requirements not exceed one-half of the total unit of study requirements specified in Summary item 2.2, above.

2.3 *Optional proficiency examinations:* Beginning in May 1989, students who pass an approved second language proficiency examination will be awarded the *first unit of credit* in second language instruction unless they have already earned the first unit of second language credit by successfully completing a unit of study in grade 9 (see *unit of credit* definition, Summary item 1.2), or have successfully completed a high school level second language course in grade 8 through acceleration (see Summary item 5.4).

3. Regents High School Diploma Requirements

3.1 *Core requirements*

3.1.1 *Overview*

	GRADUATING CLASS			
	1986	1987	1988	1989
English	4 u.c.	4 u.c.	4 u.c.	4 u.c.
Social Studies	3 u.c.	3 u.c.	3 u.c.	4 u.c.
Mathematics	1 u.c.	1 u.c.	2 u.c.	2 u.c.
Science	1 u.c.	1 u.c.	2 u.c.	2 u.c.
Health	½ u.c.	½ u.c.	½ u.c.	½ u.c.
Art/Music				1 u.c.
Second Lang.				3 u.c.
TOTAL:	9½ u.c.	9½ u.c.	11½ u.c.	16½ u.c.
Sequences/Elec.	8½ u.c.	8½ u.c.	6½ u.c.	2 u.c.
REQUIRED:	18 u.c.*	18 u.c.*	18 u.c.*	18½ u.c.*

*Plus 2 units of Physical Education

(u.c. = units of credit)

3.1.2 *Second language core requirement:* Beginning with the graduating class of 1989, Regents diploma candidates must successfully complete a sequence of 3 units of credit AND pass a comprehensive Regents examination in a second language. The following provisions apply:

3.1.2.1 The *sequence* of 3 units of credit must be in a *single language*, except as provided for certain transfer students *(see Summary item 3.1.2.4)*.

3.1.2.2 For students graduating in 1989, 1990, or 1991 who take a sequence of at least 5 units of credit in occupational education, art, or music, the 3-unit second language core requirement may be satisfied by a sequence of 3 units of credit in another subject area.

3.1.2.3 A student identified as having a *handicapping condition* may be excused from the second language core requirement if the student's IEP indicates that this requirement is not appropriate to the student's special educational needs.

3.1.2.4 A special provision is made for students who *transfer between high schools in grades 11 or 12.* If the language in which such students began their sequence is not offered in the school to which they have transferred, such students must complete 3 units of second language credit, but not necessarily in a single language. Transfer students who meet the core requirement in more than one language are exempt from passing a second language comprehensive Regents examination.

3.2 *Sequence requirements*

3.2.1 *Students graduating with a Regents diploma in 1986, 1987, or 1988* must successfully complete ONE sequence of 3 units of credit in ONE of the following areas: mathematics, science, *a second language*, art, music, or occupational education. These units of credit are included in the 18 units of credit required for the Regents diploma through 1988.

3.2.2 *Students graduating with a Regents diploma in 1989 and thereafter* must successfully complete:

EITHER a sequence of 3 units of credit in EACH OF TWO *second languages other than the language applied to the core requirement* or in EACH OF TWO occupational education subjects, or in EACH OF TWO of the following areas: mathematics, science, occupational education, art, music, or *a second language other than the language applied to the core requirement;*

OR ONE sequence of 3 units of credit in *a second language other than the language applied to the core requirement* or mathematics or science or art or music or occupational education PLUS a sequence of 5 units of credit in either English or social studies;

OR ONE sequence of 5 units of credit in mathematics or science or occupational education or art or music or *a second language, provided that a student selecting a sequence of 5 units of credit in a second language may apply such sequence to meet the 3 units of credit second language core requirement also.*

3.2.3 5-unit and 3-unit credit *sequences* must be in a *single language.*

3.2.4 Units of credit received for any of the sequences listed in Summary item 3.2.2 are included in the 18½ units of credit required for a Regents diploma in 1989 and thereafter.

3.3 *Combinations for completing core and sequence requirements:* The following are SOME OF THE MANY possible combinations for meeting the core and sequence requirements for a Regents diploma beginning in 1989.
(u.c. = units of credit; sequence options are circled.)

	Health +	Engl. +	Soc St +	Math +	Sci +	Art +	Music +	Occ Ed +	SecLang =	Total
(A)	½ u.c.	4 u.c.	4 u.c.	2 u.c.	2 u.c.	½ u.c.	½ u.c.	(2X3) u.c.	3 u.c.	22½ u.c.
(B)	½ u.c.	4 u.c.	4 u.c.	2 u.c.	2 u.c.	½ u.c.	½ u.c.	0	3+(2X3) u.c.	22½ u.c.
(C)	½ u.c.	4 u.c.	4 u.c.	(3) u.c.	2 u.c.	1 u.c.	0	0	3+(3) u.c.	20½ u.c.
(D)	½ u.c.	4 u.c.	4 u.c.	(3) u.c.	(3) u.c.	½ u.c.	½ u.c.	0	3 u.c.	18½ u.c.
(E)	½ u.c.	4 u.c.	4 u.c.	2 u.c.	(3) u.c.	0	1 u.c.	(3) u.c.	3 u.c.	20½ u.c.
(F)	½ u.c.	(5) u.c.	4 u.c.	2 u.c.	2 u.c.	(3) u.c.	0	0	3 u.c.	19½ u.c.
(G)	½ u.c.	4 u.c.	(5) u.c.	2 u.c.	2 u.c.	½ u.c.	½ u.c.	0	3+(3) u.c.	20½ u.c.
(H)	½ u.c.	4 u.c.	4 u.c.	(5) u.c.	2 u.c.	½ u.c.	½ u.c.	0	3 u.c.	19½ u.c.
(I)	½ u.c.	4 u.c.	4 u.c.	2 u.c.	2 u.c.	½ u.c.	½ u.c.	(5) u.c.	3 u.c.*	21½ u.c.
(J)	½ u.c.	4 u.c.	4 u.c.	2 u.c.	2 u.c.	0	(5) u.c.	0	3 u.c.*	20½ u.c.
(K)	½ u.c.	4 u.c.	4 u.c.	2 u.c.	2 u.c.	½ u.c.	½ u.c.	0	(5) u.c.**	18½ u.c.

*For students graduating in 1989, 1990 and 1991, who have a 5-unit sequence in occupational education, art or music, the 3-unit second language core requirement may be in another subject area.

**Students with a sequence of 5 units of credit in a single second language need to meet only the core requirements in other subjects.

4. Local High School Diploma Requirements

4.1 *Core requirements (Overview)*

	GRADUATING CLASS			
	1986	1987	1988	1989
English	4 u.c.	4 u.c.	4 u.c.	4 u.c.
Social Studies	3 u.c.	3 u.c.	3 u.c.	4 u.c.
Mathematics	1 u.c.	1 u.c.	2 u.c.	2 u.c.
Science	1 u.c.	1 u.c.	2 u.c.	2 u.c.
Health	½ u.c.	½ u.c.	½ u.c.	½ u.c.
Art/Music				1 u.c.
TOTAL:	9½ u.c.	9½ u.c.	11½ u.c.	13½ u.c.
Sequences/Elec.	6½ u.c.	6½ u.c.	4½ u.c.	5 u.c.
REQUIRED:	16 u.c.*	16 u.c.*	16 u.c.*	18½ u.c.*

*Plus 2 units of Physical Education
(u.c. = units of credit)

4.2 *Sequence requirements*

4.2.1 To obtain a local diploma, *students graduating in 1986, 1987 or 1988* must successfully complete ONE sequence of 3 units of credit in ONE of the following areas: mathematics, science, *a second language*, art, music, or occupational education. These units of credit are included in the 16 units of credit required for a local diploma through 1988.

4.2.2 To obtain a local diploma, *students graduating in 1989 and thereafter* must successfully complete:

EITHER a sequence of 3 units of credit in EACH OF TWO occupational education subjects, or in EACH OF TWO *second languages*, or in EACH OF TWO of the following areas: mathematics, science, *a second language*, occupational education, art, or music;

OR ONE sequence of 3 units of credit in mathematics, science, *a second language*, occupational education, art, or music PLUS a sequence of 5 units of credit in either English or social studies;

(More)

OR ONE sequence of 5 units of credit in mathematics, science, *a second language*, occupational education, art, or music.

4.3 Units of credit received for any of the above sequences are included in the 18½ units of credit required for a local diploma in 1989 and thereafter.

4.4 Any *sequence* of 3 or 5 units of credit in a second language must consist of courses in a *single language*.

5. General Provisions With Second Language Implications

5.1 *Credit by examination:* A student may earn a maximum of 6½ units of credit for either a Regents or local high school diploma without completing units of study for such units if:

5.1.1 based on the student's past academic performance, the superintendent of a school district or the chief administrative officer of a nonpublic school, or his/her designee, determines that the student will benefit academically by exercising this alternative;

5.1.2 the student achieves a *score of at least 85%*, or its equivalent as determined by the Commissioner, on a State-developed or State-approved examination;

5.1.3 the student passes an oral examination or successfully completes a special project to demonstrate proficiency, as determined by the principal, in the subject area; and

5.1.4 the student attends school or receives substantially equivalent instruction elsewhere until the age of 16.

5.2 *Use of alternative examinations and procedures*

5.2.1 *CEEB and ACT examinations:* Scores obtained on appropriate examinations of the College Entrance Examination Board and the American College Testing Program, as designated by the Commissioner, may be used in lieu of the corresponding Regents examination requirements for a Regents diploma and to satisfy the requirements of the Regents competency testing program.

5.2.2 *Other alternative examinations:* With the approval of the Commissioner, tests which measure an equivalent level of knowledge and skill may be substituted for State competency tests, proficiency examinations, and Regents examinations. At least 6 months prior to the administration of such tests, the proposed test booklet, answer sheet, scoring key, directions, and all other auxiliary materials must be provided to the Commissioner for approval, and must be accompanied by such empirical evidence of the reliability of the test scores and of the comparability of the proposed test to the corresponding State test with respect to content and difficulty as is available.

5.2.3 *Alternative testing procedures:* The Commissioner may approve satisfactory alternative testing procedures for State tests and examinations. The use of alternative testing procedures will be limited to (1) students identified by the Committee on the Handicapped as having a handicapping condition, and (2) students whose native language is other than English, except that alternative testing procedures for the Regents competency tests in reading and writing may be used only by students who first enter English-dominant schools after grade 8.

5.3 *Use of State syllabi:* The use of State syllabi, where available, is recommended for all subjects in grades K-12. The use of a State syllabus may be required for individual schools identified as being in need of assistance.

5.4 *Grade 8 acceleration:* No later than September 1986, public school students in grade 8 must have the opportunity to take high school courses in at least 5 of the following areas: English, social studies, *second languages*, art, music, occupational education, Regents mathematics and Regents science courses. These opportunities are subject to the following conditions:

5.4.1 The superintendent or his/her designee shall determine whether a student has *demonstrated readiness* in each subject in which he/she is to accelerate leading either to a local or Regents diploma; and

5.4.2 A student shall be awarded *high school credit* for such courses only if he/she passes (for a Regents diploma) a Regents examination or approved alternative examination or (for a local diploma) a locally developed examination which establishes student performance at a high school level as determined by the principal.

5.5 *Availability of courses and sequences*

5.5.1 Each public school must offer students attending its schools the *opportunity to meet all the requirements for a Regents high school diploma.*

5.5.2 All public school students must have *access to at least one 3-unit credit sequence* in each of the following areas: mathematics, science, *second languages*, occupational education, art, and music.

5.6 *Variances:* Section 100.2(n) of the Regulations provides for conditions and procedures for the Commissioner's granting of variances from requirements specified in Part 100 of the Regulations if such variance will enable a school to implement a program designed to provide excellence in education.

5.7 *Comprehensive Assessment Report.* Section 100.2 (m) specifies the information, such as test and enrollment data, to be included in schools' annual Comprehensive Assessment Report (CAR) and procedures for improving results.

6. IMPLEMENTATION SCHEDULE

SCHOOL YEAR	ALL PUBLIC SCHOOL STUDENTS EXCEPT ELIGIBLE HANDICAPPED		REGENTS DIPLOMA CANDIDATES EXCEPT ELIGIBLE HANDICAPPED 3 Units of Credit Sequence	
	1 Unit of Study by End of Grade 9 Graduating Class of 1992	2 Units of Study by End of Grade 9 Graduating Class of 1994	Except Art, Music, Occ. Ed. Majors. Graduating Class of 1989	All Candidates. Graduating Class of 1992 and thereafter
	GRADES			
1984-85	5	3	8	5
1985-86*	6	4	9	6
1986-87	7	5	10	7
1987-88	8	6	11	8
1988-89**	9***	7	12	9
1989-90	10	8		10
1990-91	11	9***		11
1991-92	12	10		12
1992-93		11		
1993-94		12		

*Opportunity for public school students to take high school courses in grade 8 must be provided *(see Summary item 5.4)*.

**Availability of second language instruction required in grades 8-12 of public schools *(see Summary item 2.1)*.

***Deadline for completing unit(s) of study requirement *(see Summary item 2.2)*.

7. Second Language Program Planning

7.1 *Introduction:* The second language requirements contained in the new Part 100 of the Commissioner's Regulations are sufficiently flexible to permit a variety of program designs in grades K-12. In designing an appropriate program for their students, local planners should consider both the *letter* and the *spirit* of the Regulations.

The philosophical foundations for the second language requirements are to be found in the Regents' *Education for a Global Perspective Plan* and in the goals upon which the Regents' *Action Plan to Improve Elementary and Secondary Education Results* is based. Both plans stress the importance of the sequential study of languages other than English beginning as early as possible so that students may develop the skills necessary to function successfully in an increasingly interdependent world. This spirit is promulgated in the letter of the new Regulations by providing an incentive for students to pursue a sequence of 5 units of credit in a second language. According to Sections 100.5(b) and (c) of the Regulations, such students will satisfy both the 3-unit of credit second language core requirement (if they pass the appropriate Regents examination) AND the requirement of two additional 3-unit of credit sequences for either a Regents or local diploma (*see Summary items 3.2.2 and 4.2.2*).

The following program design options chart (7.2) is intended to aid local school personnel in designing appropriate second language programs which meet the letter and, to the extent possible, the spirit of the Regulations according to local needs and conditions. It illustrates 9 different program designs according to 2 different program objectives. Each design has an entry point leading to the end of grade 12. Schools with programs below the suggested entry point are encouraged to maintain their programs at lower grade levels and to build and strengthen them toward the upper grade levels.

7.2 *Program design options chart* (see page 11)

7.3 *Explanations and comments*

7.3.1 *All options*

7.3.1.1 *¼ units of study schedules should provide for instruction throughout the school year,* such as daily instruction for 20 minutes per day or 40 minutes of instruction on alternate days throughout the school year.

7.3.1.2 *Roman numerals* in the chart refer to high school courses in the *same language* in which students: (a) met the K-9 units of study requirement AND EITHER (b) passed the optional proficiency examination OR (c) *successfully* completed the study requirement in grade 9.

7.2 PROGRAM DESIGN OPTIONS

GRADE	EXTENDED PROGRAMS INCLUDING GRADE 8 ACCELERATION AND 5-UNIT SEQUENCE						MINIMUM REQUIREMENT COMPLIANCE		
	#1	#2	#3	#4	#5	#6	#7	#8	#9
	Language A : B	Language A : B	Language A : B	Language A : B	Language A : B	Language A : B	Language A : B	Language A : B	Language A : B
K	: :	: :	: :	: :	: :	: :	: :	: :	: :
1	: :	: :	: :	EARLIER SECOND LANGUAGE OFFERINGS			: :	: :	: :
2	: :	: :	: :				: :	: :	: :
3	: :	: :	: :				: :	: :	: :
4	½ us : :	: :	: :	: :	: :	: :	: :	: :	: :
5	½ us : :	½ us : :	: :	½ us : :	: :	: :	: :	: :	: :
6	½ us : :	½ us : :	1 us : :	½ us : :	½ us : :	: :	½ us : :	: :	: :
7	½ us : :	1 us : :	1 us : :	½ us : :	½ us : :	1 us : :	½ us : :	½ us : :	: :
8	II* uc : 1 uc	II* uc : 1 uc	II* uc : 1 uc	½ us : :	1 us : :	1 us : :	½ us : :	½ us : :	1 us : :
9	III* uc : 2* uc	III* uc : 2* uc	III* uc : 2* uc	II* uc : 1 uc	II* uc : 1 uc	II* uc : 1 uc	½ us : :	1 us : :	1 us : :
10	IV* uc : 3* uc	IV* uc : 3* uc	IV* uc : 3* uc	III* uc : 2* uc	III* uc : 2* uc	III* uc : 2* uc	II* uc : 1 uc	II* uc : 1 uc	II* uc : 1 uc
11	V* uc : 4* uc	V* uc : 4* uc	V* uc : 4* uc	IV* uc : 3* uc	IV* uc : 3* uc	IV* uc : 3* uc	III* uc : 2* uc	III* uc : 2* uc	III* uc : 2* uc
12	A.P. : 5* uc	A.P. : 5* uc	A.P. : 5* uc	V* uc : 4* uc	V* uc : 4* uc	V* uc : 4* uc	IV* uc : 3* uc	IV* uc : 3* uc	IV* uc : 3* uc

*Students in Arabic numeral courses could be scheduled in the same classes as students in the corresponding Roman numeral courses.
(us = unit of study; uc = unit of credit)

7.3.1.3 *Arabic numerals* (grades 8-12) in the chart refer to high school courses in *languages other than the language in which students completed the K-9 unit of study requirement.* Enrolled in such courses would be students who: (a) switch from one language to another after completing the K-9 unit of study requirement, OR (b) start another language while, at the same time, continuing the study of the language they started earlier, OR (c) new entrants into the program without prior second language learning experience.

7.3.2 In *options # 1, 4, and 7* the 2-unit study requirement is spread over a period of 4 years, with ½ unit of study each year. These designs would be attractive to schools interested in reducing students' units of study in the junior high/middle school grades.

7.3.3 In *options # 1, 2, and 3* students complete the K-9 study requirement and take the second language proficiency examination by the end of grade 7. A passing grade on the proficiency examination earns them one unit of credit. If they continue the study of the same language, they could establish a 5-unit credit sequence by the end of grade 11 and enable them to take an Advanced Placement or other college-credit course in grade 12. Students who begin the study of a different language in grade 8 have the opportunity to complete a 5-unit credit sequence in that language by the end of grade 12.

7.3.4 *Options # 4, 5, and 6* provide the opportunity to establish a 5-unit credit sequence for students who pass the second language proficiency examination by the end of grade 8 AND continue the study of the same language through grade 12. Students who begin the study of a different language in grade 9 would complete a 3-unit credit sequence at the end of grade 11.

7.3.5 *Options # 7, 8, and 9* represent programs designed for minimal compliance with the Regulations. In these programs, students complete the K-9 study requirement at the end of grade 9 and are awarded one unit of credit for EITHER the successful completion of the grade 9 course OR a passing grade on a second language proficiency examination. If they continue the study of the same language, they could complete a 3-unit credit sequence by the end of grade 11. If they begin the study of a different language in grade 10, students run the risk of not passing the comprehensive Regents examination at the end of grade 12 which would deny them the opportunity to earn a Regents diploma.

8. Answers To Frequently Asked Questions

Q: Will high school credit be granted for second language study in grades 7 or 8?

A: Yes -- but only under the following circumstances: if a student passes the optional proficiency examination in grades 7 or 8 OR successfully completes a high school course in grade 8 under the acceleration provision.

Q: What criteria should superintendents or their designees use in determining whether students have demonstrated readiness for accelerated study of high school second language courses in grade 8?

A: The Bureau of Foreign Languages Education recommends that students demonstrate readiness for grade 8 acceleration by passing the optional second language proficiency examination at the end of grade 7 or 8.

Q: Are public school students required to pass courses in completing the K-9 units of study requirement?

A: No -- unless successful completion of the study requirement is required by local policy.

Q: How many units of high school credit are awarded to students who pass a second language proficiency examination at the end of grade 9?

A: One unit of credit.

Q: What are some advantages and disadvantages in having students complete the K-9 study requirement in more than one language?

A: Advantages: It tends to help schools balance enrollments in the languages offered, and it gives students an opportunity to be introduced to several languages.

Disadvantage: Students will be insufficiently prepared to be successful on a second language proficiency examination which will measure learning outcomes of two units of study in a single language.

Q: Will the State Education Department provide criteria for the successful completion of second language proficiency examinations, 3-unit credit sequences, and 5-unit credit sequences?

A: Yes -- in new syllabi for modern and classical languages, respectively.

Additional Questions?

Write or Call:

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